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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RAYSHUN CORNELIUS TOWNSEND,

No. 2:23-cv-0870 KJN P

12 Plaintiff,

13 v.

ORDER

14 FEDERAL EXPRESS  
15 HEADQUARTERS, et al.,

16 Defendants.  
17

18 Plaintiff, a Tennessee county prisoner, proceeding pro se, filed a civil rights action  
19 pursuant to 42 U.S.C. § 1983. Plaintiff filed an application to proceed in forma pauperis pursuant  
20 to 28 U.S.C. § 1915.

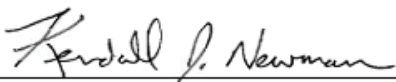
21 The federal venue statute provides that a civil action “may be brought in (1) a judicial  
22 district in which any defendant resides, if all defendants are residents of the State in which the  
23 district is located, (2) a judicial district in which a substantial part of the events or omissions  
24 giving rise to the claim occurred, or a substantial part of property that is the subject of the action  
25 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in  
26 this action, any judicial district in which any defendant is subject to the court’s personal  
27 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

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1 In this case, the claim arose in Shelby County, which is in the Western District of  
2 Tennessee. Therefore, plaintiff's claim should have been filed in the United States District Court  
3 for the Western District of Tennessee. In the interest of justice, a federal court may transfer a  
4 complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v.  
5 McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
7 States District Court for the Western District of Tennessee.

8 Dated: May 16, 2023

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10 KENDALL J. NEWMAN  
11 UNITED STATES MAGISTRATE JUDGE  
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